

**MARKED UP VERSION OF THE CLAIMS**

1. (currently amended) A method for obtaining a biologically active botulinum toxin, comprising the steps of:

(a) providing a fermentation medium of which is not free of more than about 1  
~~weight percent comprises an animal product selected from the group consisting~~  
~~of an immunoglobulin, a meat product, a meat digest, a meat by product, milk, a~~  
~~dairy product, a dairy digest, blood pooled product, a blood product and an~~  
~~animal protein;~~

(b) culturing a Clostridium botulinum bacterium in the fermentation medium  
under conditions which permit production of a botulinum toxin, ~~wherein the~~  
~~culturing is performed until cell density of the fermentation medium decreases~~  
~~due to cell lysis and;~~

(c) recovering a biologically active botulinum toxin from the fermentation  
medium, wherein the fermentation medium comprises a protein obtained from  
yeast or from a vegetable, wherein the vegetable is selected from the group  
consisting of a soy, malt and corn.

2-4 (cancelled).

5. (original) The method of claim 1, wherein in the step of culturing, the culturing  
is performed until at least 48 hours after initial drop in cell density due to cell  
lysis.

6-12 (cancelled).

13. (currently amended) A method for making a substantially animal product  
free pharmaceutical composition in which the active ingredient is a botulinum  
toxin, the method comprising the steps of:

(a) obtaining a biologically active botulinum toxin by;

(i) providing a fermentation medium of which is free of ~~not more than about 1 weight percent is~~ an animal product selected from the group consisting of an immunoglobulin, a meat product, a meat digest, a meat by product, milk, a dairy product, a dairy digest, blood pooled product, a blood product and an animal protein;

(ii) culturing a *Clostridium botulinum* in the fermentation medium under conditions which permit production of a botulinum toxin, and;

(iii) recovering a biologically active botulinum toxin from the fermentation medium;

(b) formulating the botulinum toxin with a suitable excipient, thereby making a substantially animal product free pharmaceutical composition in which the active ingredient is a botulinum toxin,

wherein the fermentation medium comprises a protein product obtained from yeast or from a vegetable, wherein the vegetable is selected from the group consisting of a soy, malt and corn.

14. (previously added) The method of claim 1, wherein the botulinum toxin is selected from the group consisting of botulinum toxins types A, B, C, D, E, F and G.

15. (previously added) The method of claim 1, wherein the botulinum toxin is a botulinum toxin types A.

16. (previously added) The method of claim 1, wherein the botulinum toxin is a purified botulinum toxin.

17. (currently amended) A method for obtaining a biologically active botulinum toxin type A, the method comprising the steps of:

(a) providing a fermentation medium of which is free of ~~not more than about 1 weight percent comprises~~ an animal product selected from the group consisting of an immunoglobulin, a meat product, a meat digest, a meat by product, milk, a

~~dairy product, a dairy digest, blood pooled product, a blood product and an animal protein;~~

(b) culturing a *Clostridium botulinum* bacterium in the fermentation medium under conditions which permit production of a botulinum toxin, ~~wherein the culturing is performed until cell density of the fermentation medium decreases due to cell lysis and;~~

(c) recovering a biologically active botulinum toxin from the fermentation medium,

wherein the fermentation medium comprises a protein obtained from yeast or from a vegetable, wherein the vegetable is selected from the group consisting of a soy, malt and corn.

18. (previously added) The method of claim 13, wherein the botulinum toxin is selected from the group consisting of botulinum toxins types A, B, C, D, E, F and G.

19. (currently amended) The method of claim 13, wherein the botulinum toxin is a botulinum toxin types A.

20. (previously added) The method of claim 13, wherein the botulinum toxin is a purified botulinum toxin.

21. (currently amended) A method for making ~~an substantially~~ animal product free pharmaceutical composition in which the active ingredient is a botulinum toxin type A, the method comprising the steps of:

(a) obtaining a biologically active botulinum toxin type A by;

(i) providing a fermentation medium ~~of which is free of not more than about 1 weight percent is~~ an animal product selected from the group consisting of an immunoglobulin, ~~a meat product, a meat digest, a meat by product, milk, a dairy product, a dairy digest, blood pooled product, a blood product and an animal protein;~~

(ii) culturing a *Clostridium botulinum* in the fermentation medium under conditions which permit production of a botulinum toxin type A, and;

(iii) recovering a biologically active botulinum toxin type A from the fermentation medium;

(b) formulating the botulinum toxin type A with a suitable excipient, thereby making an ~~substantially~~ animal product free pharmaceutical composition in which the active ingredient is a botulinum toxin type A, wherein the fermentation medium comprises a protein product obtained from yeast or from a vegetable, wherein the vegetable is selected from the group consisting of a soy, malt and corn.